

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64094 of 2019

Arising Out of PS. Case No.-80 Year-2019 Thana- DHAKA District- East Champaran

SANJAY MAHTO Son of Jagdev Mahto Resident of Village- Bakhari
Khajuri, P.S.- Dhaka, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar Singh

For the Opposite Party/s : Mr.Md. Nazir Ansari

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 18-10-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Dhaka P.S. Case No.80 of 2019 registered under Sections
30(a) and 41 of the Bihar Excise Prohibited Act, 2016.

The accusation is that in course of checking of the
vehicle, when one Tata Magic vehicle bearing Registration
No.BR05PA7654 was stopped, then the driver of the said
vehicle started to flee away but was apprehended, who disclosed
his name as Kamlesh Kumar Yadav. On search of the said
vehicle, 59 bottles, each containing 300 ml. Nepali Liquor, near
the seat of the driver, were recovered. On query, the
apprehended accused disclosed that the seized bottles of Nepali



Liquor was given to him by this petitioner.

Learned counsel for the petitioner submits that the petitioner was made accused by the police in a case, as detailed in paragraph-3 to this application, due to that reason, the police got managed to implicate the petitioner in the present case also, showing the confessional statement of the apprehended accused.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Special Judge, Excise, Motihari, in connection with Dhaka P.S. Case No.80 of 2019, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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